

DEPARTMENT OF PLANNING
STAFF REPORT

PLANNING COMMISSION PUBLIC HEARING

DATE OF HEARING: October 15, 2007
ZMOD 2006-0016; GREENE MILL PRESERVE – STORIES
DECISION DEADLINE: October 15, 2007
ELECTION DISTRICT: Dulles **PLANNER: Jane McCarter**

EXECUTIVE SUMMARY

Stanley-Martin Woodlands, LLC of Reston, Virginia has submitted an application for a special exception to modify Section 4-1213(B)(1)(j) of the Revised 1993 Zoning Ordinance which limits building height to three (3) stories or 40 feet maximum, whichever is less, to permit fourth story interior lofts which would exceed 3 stories and be no more than 40 feet in height for existing and proposed single family detached dwelling units on property being developed pursuant to ZMAP 1997-0001, Woodland Rural Village in the PD-RV (Planned Development – Rural Village) zoning district. This application is subject to the Revised 1993 Zoning Ordinance, and the modification of zoning regulations applicable to the approved concept development plan is authorized by special exception under Section 6-1511(B)(4). The subject property is approximately 424 acres and is bounded by Evergreen Mills Road (Route 621) to the east, Watson Road (Route 860) to the west, and Red Hill Road (Route 617) to the south in the Dulles Election District. The subject property is governed by the policies of the Revised General Plan and the Dulles South Area Management Plan which designate this area as part of the Rural Policy Area for rural economic uses and limited residential development.

RECOMMENDATIONS

Staff recommends approval of the application with the findings and subject to the conditions of approval dated September 21, 2007 outlined in the staff report.

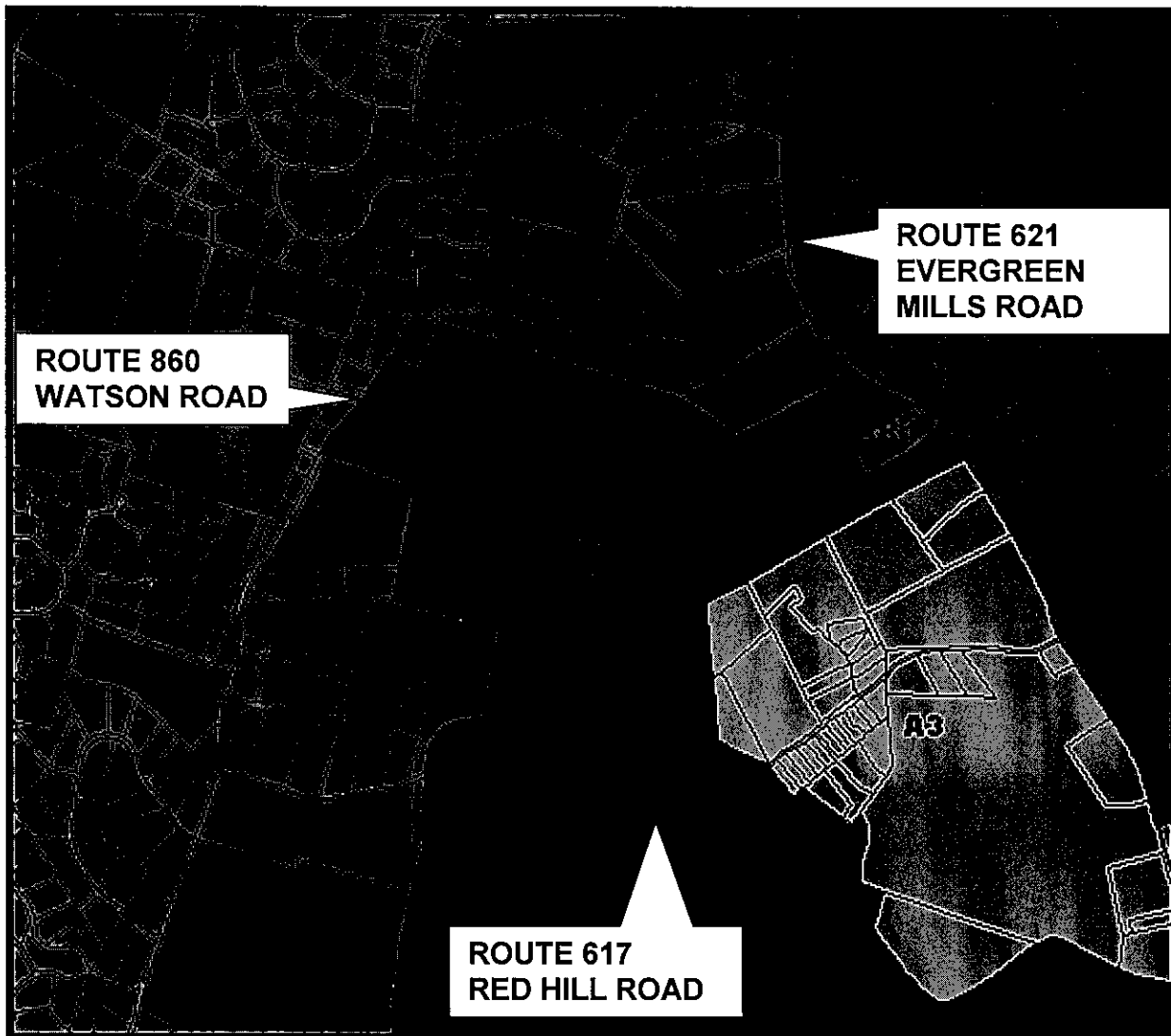
SUGGESTED MOTIONS

1. I move that the Planning Commission forward to the Board of Supervisors with a recommendation of approval ZMOD 2006-0016; Greene Mill Preserve – Stories; subject to the Conditions of Approval dated September 21, 2007 and based on the findings in the October 15, 2007 staff report.

OR

2. I move an alternate motion.

VICINITY MAP



RURAL VILLAGE OF GREENE MILL PRESERVE SHOWN IN RED

Directions: From Leesburg Bypass turn south onto James Monroe Highway (Route 15), approximately 0.5 miles to the intersection with Evergreen Mills Road (Route 621). Turn left onto Evergreen Mills Road (Route 621) proceeding southeast approximately 6.7 miles to Black Branch Parkway on the left. Enter the Greene Mill Preserve community via Black Branch Parkway.

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I. APPLICATION INFORMATION

APPLICANT Stanley-Martin Woodlands, LLC
Mr. David W. Duggar
11111 Sunset Hills Drive, Suite 200
Reston, Virginia 20190

REPRESENTATIVE Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
Mr. William J. Keefe, AICP
One East Market Street, 3rd Floor
Leesburg, Virginia 20176

PROPOSAL Approval of a Zoning Modification to permit fourth story interior lofts which would exceed 3 stories and be no more than 40 feet in height for existing and proposed single family detached dwelling units in the PD-RV (Planned Development-Rural Village) zoning district.

LOCATION From Leesburg Bypass go south on Route 15 approximately 0.5 miles to the intersection with Evergreen Mills Road (Route 621). Left onto Route 621 approximately 6.7 miles to Black Branch Parkway on left. Black Branch Parkway provides access to the community of Greene Mill Preserve.

PIN	Tax Map	PIN	Tax Map	PIN	Tax Map
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**ZMOD 2006-0016; GREENE MILL PRESERVE - STORIES
PLANNING COMMISSION PUBLIC HEARING
October 15, 2007**

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ZONING

PD-RV (Planned Development- Rural Village)

SURROUNDING LAND USES/ZONING

	<u>Zoning</u>	<u>Present Land Uses</u>
North	AR-1	Rural
South	A-3 and TR-3 UBF	Transitional and Rural
East	A-3 and TR-10	Transitional and Rural
West	AR-1	Rural

II. SUMMARY	
Referral Agency or Topic Area	Issues Examined and Status
Community Planning	<ul style="list-style-type: none">• Design guidelines – increase in stories while maintaining the maximum building height of 40 feet is in keeping with the design guidelines and the Plan's vision for Rural Villages.• Architectural Style - proposal is consistent with the arrangement and architectural style of the community in that the exterior elevations of the homes are the same both with and without the loft feature and consistent with the remainder of the community buildings Status: No outstanding issue.
Zoning Administration	<ul style="list-style-type: none">• Improve upon existing regulations – specify the building height as the regulatory limit as in all other Planned Development districts.• Revisions were made to Statement of Justification.• Notation changes were made to the plat. Status: No outstanding issues.
County Attorney	Draft conditions under review by the County Attorney.

III. FINDINGS

Staff recommends approval of these applications based on the following findings:

1. The application complies with the Revised General Plan in that an increase in the number of stories from 3 to 4, while maintaining the maximum building height of 40 feet, is in keeping with the design guidelines and the Plan's vision for Rural Villages.
2. The application complies with the Revised General Plan in that the arrangement and architectural style of the buildings in the village core are consistent with the surrounding development to create a sense of place and identity for the community. Specifically the exterior elevations of the homes are the same both with and without the loft feature and consistent with the remainder of the community buildings.
3. The application conforms to the Revised 1993 Zoning Ordinance with approval of the modification requested.

IV. CONDITIONS OF APPROVAL

9/21/07

1. **Zoning Ordinance Modification Plat** The proposed loft modification shall be developed in substantial conformance with the Zoning Ordinance Modification Plat, prepared by Urban, Ltd. dated December 31, 2006 and revised through June 7, 2007 and in conformance with the Loudoun County Zoning Ordinance. Approval of this application does not relieve the Applicant of any Zoning Ordinance, Codified Ordinance, or any other requirement.

2. **Loft Use** The proposed loft design shall not provide a separate independent living space such as an accessory or ancillary dwelling; nor be considered a separate dwelling unit. The loft use shall not in any other way, to include but not limited to requiring additional on-street parking, adversely impact the rural village community.

V. PROJECT REVIEW

A. CONTEXT

The Loudoun County Board of Supervisors approved Greene Mill Preserve, formerly known as Woodland Rural Village (ZMAP 1997-0001) in 1998 for the development of 229 single-family detached and single family attached homes. The rural village is surrounded by a 330 acre conservancy area and adopts a neo-traditional design with curvilinear streets and homes clustered around community greens. The rural village design of a compact pedestrian-friendly community with numerous trails, greens, and ponds encourages community interaction.

Currently the rural village is under construction with approximately 20% of the homes completed. The modification requested could affect all remaining Stanley-Martin Woodlands residential construction within the community so that as many as 101 of the 229 homes could be constructed with the loft option. Neither the community center nor the commercial spaces have been constructed to date.

The property is surrounded by the conventional rural subdivisions of Barclay Ridge, the Estates at Creighton Farms, Red Hill Manor, and Evergreen Village. These subdivisions are generally 3-10 acre lots in a grid pattern.

B. SUMMARY OF OUTSTANDING ISSUES

There remain no outstanding issues with this application. Staff's principal focus was on the impact of the loft design upon the design of the rural village with particular attention to the incorporation of the loft proposal and its effect upon the design and architectural style of the rural village community.

C. OVERALL ANALYSIS

COMPREHENSIVE PLAN

Greene Mill Preserve, formerly Woodland Rural Village (ZMAP 1997-0001) was approved under the 1991 General Plan, which supported the development of new rural villages in the Rural Policy Area. The Revised General Plan and the 1991 General Plan both designate the subject property as part of the Rural Policy Area; however, there are significant policy differences between the two plans as it applies to the development of Rural Villages. The Revised General Plan does not promote the development of new rural villages within the Rural Policy Area, though new rural villages are permitted in the Transition Policy Area. Staff has consequently reviewed the proposed zoning modification requests for the rural village using the Design Guidelines from the Revised General Plan for Villages in the Transition Policy Area.

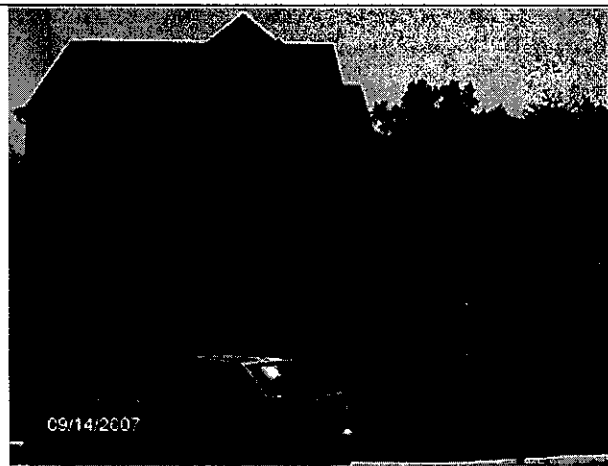
While the Revised General Plan does not provide specific guidance pertaining to the number of stories or heights of buildings within Rural Villages it does provide general design guidelines. The Plan envisions Rural Villages as mixed-use communities with residential and non-residential uses integrated to create a pedestrian friendly development centered around a village core (Revised General Plan, Design Guidelines 2a, p.11-18). The arrangement and architectural style of the buildings in the village core should be consistent with the surrounding development to create a sense of place and identity for the community (Revised General Plan, Design Guidelines 2d, p.11-18).

Staff finds the proposed Zoning Modification request, to permit an increase in the number of stories for all single-family detached homes within the Greene Mill Preserve to more than three stories so long as the height of the building does not exceed 40-feet, as in keeping with the intent of the design guidelines and the Plan's vision for Rural Villages. Further, Staff finds the proposal is consistent with the arrangement and architectural style of the community in that the exterior elevations of the homes are the same scale and appearance, both with and without the loft feature, and consistent with the remainder of the community buildings.

Views of homes with and without loft option:



**S52 (Bradley) – Elevation A With
Loft Option**



**S52 (Bradley) – Elevation A Without
Loft Option**

ZONING

The subject site is governed under the provision of the Revised 1993 Zoning Ordinance. The Zoning Modification request to permit the inclusion of 4th story lofts, provided the maximum 40-foot height is not exceeded, has been supported by the County as improving upon the existing regulations. Several recommended notation changes have been made to the Plat.

All zoning districts that permit residential development regulate a building by maximum height permitted. Only one zoning district, the PD-RV zoning district, regulates a building's height as well as the amount of stories permitted. Clearly the dual regulation of stories and building height in this one district is intended to ensure the design, arrangement, and architectural style of the community exhibit a consistency in scale and appearance with the remainder of the community buildings in addition to ensuring the maximum building height does not exceed 40-feet.

The Applicant states the zoning modification to permit a loft option serves as both an innovative design feature and as an improvement to the existing regulations by rectifying a discrepancy between the definition of *Story* as listed in the Revised 1993 Loudoun County Zoning Ordinance and the Virginia Uniform Statewide Building Code (both enforced by Loudoun County) which is based on the 2003 International Residential Code definition of *Story* and *Story Above Grade*.

The Applicant had constructed several homes within Greene Mill Preserve to the VUSBC/IRC standards and had obtained building and occupancy permits for these homes. Subsequent to this construction the Applicant was informed by zoning administration staff that the loft feature was identified as a fourth story in these homes. It appears as though there is a discrepancy between the VUSBC/IRC and zoning ordinance definition of *Story* and *Story Above Grade* and how that interpretation relates to the basement.

To have a separate definition of *Story* in the zoning ordinance that is interpreted differently than the definition of *Story* and *Story Above Grade* in the VUSBC/IRC sends a mixed message to applicants. When constructing residential structures in Loudoun County and other jurisdictions that rely on the VUSBC/IRC, it is standard practice to rely on the definitions included in the VUSBC/IRC. Through this zoning modification, the Applicant seeks to modify the zoning ordinance to rectify this inconsistency.

The modification to permit a loft option, while not exceeding the maximum permitted height of 40-feet, will primarily allow existing homeowners that have the loft option to conform to the zoning ordinance. The Applicant states this modification will also serve to improve upon the existing PD-RV zoning district regulations by permitting an innovative design feature without negatively affecting the scale and appearance of the community. Staff notes that more importantly than providing an innovative design feature, this application serves to improve upon existing regulations by rectifying the discrepancy between the VUSBC/IRC and zoning ordinance definitions of *Story* and *Story Above Grade*.

Staff noted that the lots with existing dwellings that were constructed without the optional walk-up attic were not included in this application. Including these lots in this application would provide their owners with an additional degree of flexibility. The Applicant has stated it would be extremely difficult, and not recommended, for additional lofts to be added after the framing stage of construction. Therefore while the majority of

the lots in the future could contain lofts, the existing constructed homes that do not have lofts would be unlikely to retrofit this feature.

The Applicant has agreed to Conditions of Approval dated September 21, 2007 as discussed within this staff report.

VI. ATTACHMENTS (Unless noted otherwise, attachments are not available electronically but may be obtained from the Department of Planning)	PAGE NUMBER
1. Review Agency Comments	
a. Planning, Comprehensive Planning	A-1
b. Building and Development, Zoning Administration	A-3
2. Applicant's Statement of Justification	A-5
3. Applicant's Response to Referral Comments	A-9
4. Disclosure of Real Parties in Interest	A-15
5. Special Exception Plat	Following Attachments

County of Loudoun
Department of Planning

MEMORANDUM

DATE: August 17, 2007

TO: Jane McCarter, Project Manager
Land Use Review

FROM: ⁹⁶Pat Giglio, Planner
Community Planning

SUBJECT: ZMOD 2006-0016, Greene Mill Preserve

BACKGROUND

The applicant, Renaissance at Woodlands, LLC, is requesting a Zoning Ordinance Modification (ZMOD) to permit an increase in the number of stories for all single-family detached homes within the Greene Mill Preserve to more than three stories so long as the height of the building does not exceed 40-feet. The Revised 1993 Zoning Ordinance currently permits buildings to be "three (3) stories or 40 feet maximum whichever is less" (*Section 4-1213 (B)(1)(j)*).

Greene Mill Preserve is a 425-acre planned Rural Village located east of Watson Road (Route 860), west of Evergreen Mills Road (Route 621) and north of Red Hill Road (Route 617). The development is accessed from both Watson Road and Evergreen Mills Road. The Loudoun County Board of Supervisors approved Greene Mill Preserve, formerly known as Woodland Rural Village (ZMAP 1997-0001) in 1998 for the development of 229 single-family detached and single family attached homes. The rural village is surrounded by a 330 acre conservancy area and adopts a neo-traditional design with curvilinear streets and homes clustered around community greens.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The subject property is governed under the policies of the Revised General Plan. The Revised General Plan places the property within the northern tier of the Rural Policy Area. The area is planned for rural economy uses and limited residential development (Revised General Plan, as amended by CPAM 2005-0005, Amendments to the Rural Policies of the Loudoun County Comprehensive Plan, Policy 3, p.7-15).

A-1

ANALYSIS

The Revised General Plan and the 1991 General Plan designate the subject property as part of the Rural Policy Area; however, there are significant policy differences between the two plans as it applies to the development of Rural Villages. The Revised General Plan does not promote the development of new rural villages within the Rural Policy Area, though new rural villages are permitted in the Transition Policy Area. Staff recognizes that Woodland Rural Village (ZMAP 1997-0001) was approved under the 1991 General Plan, which supported the development of new rural villages in the Rural Policy Area. Staff has consequently reviewed the proposed zoning modification requests for the rural village using the Design Guidelines from the Revised General Plan for Villages in the Transition Policy Area.

The Revised General Plan does not provide specific guidance pertaining to the number of stories or heights of buildings within Rural Villages but does provide general design guidelines. The Revised General Plan envisions Rural Villages as mixed-use communities with residential and non-residential uses integrated to create a pedestrian friendly development centered around a village core (Revised General Plan, Design Guidelines 2a, p.11-18). The arrangement and architectural style of the buildings in the village core should be consistent with the surrounding development to create a sense of place and identity for the community (Revised General Plan, Design Guidelines 2d, p.11-18). The villages will feature tree-lined streets with houses built close to the street with on street parking and sidewalks (Revised General Plan, Design Guidelines 2f, p.11-18).

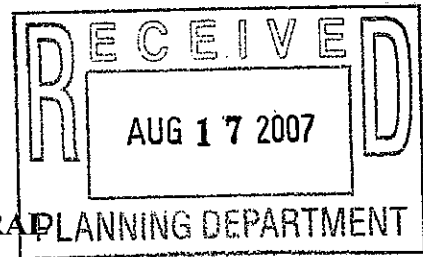
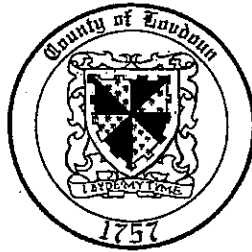
Staff finds the proposed Zoning Modification request to increase the number of stories for all single-family detached homes to be in keeping with the intent of the design guidelines and the Plan's vision for Rural Villages.

RECOMMENDATIONS

Staff finds the proposed Zoning Modification request, to permit an increase in the number of stories for all single-family detached homes within the Greene Mill Preserve to more than three stories so long as the height of the building does not exceed 40-feet, is in keeping with the intent of the design guidelines and the Plan's vision for Rural Villages. Staff recommends approval of the Zoning Modification request.

cc: Julie Pastor, AICP, Planning Director
Cindy Keegan, AICP, Community Planning Program Manager

A-2



ZONING ADMINISTRATION REFERRAL PLANNING DEPARTMENT

DATE: August 17, 2007
TO: Jane McCarter, Project Manager, Planning
THROUGH: Mark Stultz, Deputy Zoning Administrator
FROM: Claire Gron, Planner, Zoning Administration C67
SUBJECT: ZMOD-2006-0016
Green Mill Preserve

LCTM/MCPI:

I. APPLICATION SUMMARY

Zoning Administration staff has reviewed the above-referenced zoning modification application for conformance with the Revised 1993 Loudoun County Zoning Ordinance ("the Ordinance"). The following items were reviewed as part of the ZMOD application:

- A. Information Packet, dated July 17, 2007
- B. List of Subject Properties
- C. Statement of Justification, dated November 17, 2006
- D. Statement of Justification, dated May 11, 2007
- E. Zoning Modification Plat, dated December 31, 2006

This application is a request by Stanley Martin-Woodlands, LLC ("the Applicant") for a zoning modification to §4-1213(B)(1)(j) to increase the maximum height for certain existing and proposed single family detached dwelling units in Greene Mill Preserve. The Board of Supervisors may approve zoning modifications pursuant to §6-1504.

II. CONFORMANCE WITH THE REVISED 1993 LOUDOUN COUNTY ZONING ORDINANCE.

1. **Section 6-1504.** The Applicant has not adequately explained how the requested modification will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation.

III. ADDITIONAL COMMENTS

A-3

1. The Applicant has submitted two separate statements of justification with this application. Combine the statements of justification and provide only one.
2. The SOJ dated November 17, 2006 identifies Renaissance at Woodlands, LLC as the Applicant, but the May 11, 2007 SOJ identifies Stanley Martin-Woodlands, LLC as the Applicant. Correct this discrepancy.
3. The SOJ dated November 17, 2006 appears to request a special exception for a reduction in required off-street parking spaces pursuant to §5-1102(F). Remove the SPEX request from this ZMOD application (SPEX-2006-0039 is currently pending).
4. The SOJ dated May 11, 2007 includes a discussion of §6-1211(E), Zoning Map Amendment issues for consideration. Remove this information, as it is not applicable to this ZMOD application.
5. Parcel MCPI# 282-39-8317 is the subject of SBRD-2006-0006, currently pending. Thus, Lots 54C, 60C-70C, 85C-106C, and 114A-118A, as referenced and shown on the plat, do not exist. Clearly illustrate the parcel boundaries of MCPI# 282-39-8317, and identify Lots 54C, 60C-70C, 85C-106C, and 114A-118A as future, not existing lots.
6. Reference Lot 58C, not 58A on the plat.
7. Correct the property owner information for Lots 51C, 38B, 149A, 172C, 126A, and 130A in the chart attached to the SOJs.
8. Correct the property owner information for Lots 35B, 38B, 51C, 126A, 130A, 149A, 172C, and 179C on the plat.
9. It is noted that lots with existing dwellings that were constructed without the optional walk-up attic are not included in this application. The inclusion of these lots in this application would provide their owners with an additional degree of flexibility.

STATEMENT OF JUSTIFICATION

Zoning Modification of the Planned Development – Rural Village Building Stories Section 4-1213(B)(1)(j) May 11, 2007 Revised: August 24, 2007

I. Introduction

The Applicant, **Stanley-Martin Woodlands, LLC**, of Reston, Virginia, requests a zoning modification of section 4-1213(B)(1)(j) of the Revised 1993 Loudoun County Zoning Ordinance (also referred to herein as the “zoning ordinance”) to permit interior lofts within existing and future homes in Greene Mill Preserve. The building height listed in section 4-1213(B)(1)(j) of the Planned Development – Rural Village (“PD-RV”) building requirements permits single family detached residential buildings to be constructed up to “three (3) stories or 40 feet maximum whichever is less.” Existing homes have been constructed in Greene Mill Preserve at heights less than 40 feet, but include a loft option that zoning administration staff believes to exceed the permitted maximum of 3 stories. By submitting this zoning modification application, the Applicant proposes to bring existing and future homes that include the loft option into conformance with the zoning ordinance.

Greene Mill Preserve, formerly known as Woodland Rural Village (ZMAP 1997-0001), was zoned PD-RV in 1998 and is located in the Dulles Election District, bounded by Evergreen Mills Road (Route 621) to the east and Watson Road to the west. Greene Mill Preserve consists of 229 approved dwelling units and is presently under construction.

II. Zoning Modification Justification

The Applicant is requesting a zoning modification of section 4-1213(B)(1)(j), which is permitted per section 6-1504 of the zoning ordinance, which states:

***Modifications.** The regulations of the PD district sought shall apply after rezoning is approved unless the Board of Supervisors approves a modification to the zoning, subdivision or other requirements that would otherwise apply. No modifications shall be permitted which affect uses, density, or floor area ratio of the district. Modifications to an approved Concept Development Plan may be approved as set forth in Section 6-1511. No modification shall be approved unless the Board of Supervisors finds that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation. No modification will be granted*

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for the primary purpose of achieving the maximum density on a site. An application for modification shall include materials demonstrating how the modification will be used in the design of the project.

The Applicant believes that the zoning modification to permit a loft option does serve as an innovative design feature, but more importantly, will serve to improve upon the existing regulations of the PD-RV zoning district. This zoning modification will serve to improve upon the existing regulations by rectifying a discrepancy between the definition of *Story* as listed in the Revised 1993 Loudoun County Zoning Ordinance and the Virginia Uniform Statewide Building Code (also referred to herein as the "VUSBC"), which Loudoun County enforces, and which is based on the 2003 International Residential Code (also referred to herein as the "IRC") definition of *Story* and *Story Above Grade*.

The definition of *Story* in the Revised 1993 Loudoun County Zoning Ordinance is as follows:

***Story:** That portion of a building included between the surface of any floor and the surface of the floor next above it or, if there be no floor above it, the space between such floor and the ceiling next above. A basement shall be counted as a story if it is used for business or dwelling purposes. A mezzanine floor shall be counted as a story if it covers more than one-third of the area of the floor next below it or if the vertical distance between the floor next below it and the floor next above it is twenty feet or more.*

The definition of *Story* and *Story Above Grade* in the 2003 International Residential Code, which the Virginia Uniform Statewide Building Code is based on and Loudoun County enforces, is as follows:

***Story:** That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.*

***Story Above Grade:** Any story having its finished floor surface entirely above grade, except that a basement shall be considered as a story above grade where the finished surface of the floor above the basement is:*

- 1. More than 6 feet (1829 mm) above grade plane.*
- 2. More than 6 feet (1829 mm) above the finishing ground level for more than 50 percent of the total building perimeter.*
- 3. More than 12 feet (3658 mm) above the finished ground level at any point.*

The interpretation of the definition of *Story* differs within Loudoun County. The Applicant has constructed several homes within Greene Mill Preserve to the VUSBC/IRC standards and has obtained building and occupancy permits for these homes. In 2006,

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after several of the homes were already constructed and occupied, the Applicant was informed by zoning administration staff that a zoning modification would be necessary to bring the existing and future homes that include a loft option into conformance with the zoning ordinance. This directive was based on the PD-RV zoning district height regulation that permits no more than 3 stories or 40 feet in height, whichever is less. Based on this zoning administration directive and the fact that the Applicant had previously received Loudoun County approval of the existing homes that included loft options, it appears as though there is a discrepancy between the VUSBC/IRC and zoning ordinance definition of *Story* and *Story Above Grade* and how that interpretation relates to the basement.

As stated in the definitions above, the zoning ordinance definition of *Story* includes any basement that is used for business or dwelling purposes, whereas, the VUSBC/IRC only considers a basement to be a *Story Above Grade* where the finished surface of the floor above the basement is more than 6 feet (1829 mm) above grade plane, more than 6 feet (1829 mm) above the finishing ground level for more than 50 percent of the total building perimeter, or more than 12 feet (3658 mm) above the finished ground level at any point. Based on this definition, the homes with the loft option have been, and will continue to be, considered by the VUSBC/IRC to have only 3 *Stories Above Grade*.

To have a separate definition of *Story* in the zoning ordinance that is interpreted differently than the definition of *Story* and *Story Above Grade* in the VUSBC/IRC sends a mixed message to applicants. When constructing residential structures in Loudoun County and other jurisdictions that rely on the VUSBC/IRC, it is standard practice to rely on the definitions included in the VUSBC/IRC. The construction reference that Loudoun County enforces is the VUSBC/IRC, not the zoning ordinance. Interpreting the zoning ordinance in a manner that contradicts the VUSBC/IRC sends a mixed message and does not accurately define existing regulations. Through this zoning modification, the Applicant proposes to modify the zoning ordinance to rectify this inconsistency.

In addition to the discrepancy in definitions, it is also worth noting that of all the zoning districts that permit residential development in Loudoun County, only one zoning district, the PD-RV zoning district, regulates a building's height as well as the amount of stories permitted. Given the presence of a maximum building height of 40 feet, it is difficult to identify a public purpose for limiting the amount of stories in a rural village when all other suburban and rural residential zoning districts in Loudoun County are regulated by maximum building height.

III. Conclusion

This zoning modification application to permit a loft option, while not exceeding the maximum permitted height of 40 feet, will primarily allow existing homeowners that have the loft option to conform to the zoning ordinance. This application will also serve to improve upon the existing PD-RV zoning district regulations by permitting an

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innovative design feature without negatively affecting the scale and appearance of the community. More importantly than providing an innovative design feature, this application serves to improve upon existing regulations by rectifying the discrepancy between the VUSBC/IRC and zoning ordinance definitions of *Story* and *Story Above Grade*. The differing interpretation of each definition sends mixed messages when constructing homes in Loudoun County. Also, it is unclear as to why the PD-RV zoning district includes a maximum building height and a limitation on the amount of stories permitted. Simply listing the maximum building height, as is done in every other suburban and rural residential zoning district in Loudoun County, serves a distinct public purpose. Given the presence of a maximum building height of 40 feet in the PD-RV zoning district, it is difficult to identify a public purpose for limiting the amount of stories in a rural village.

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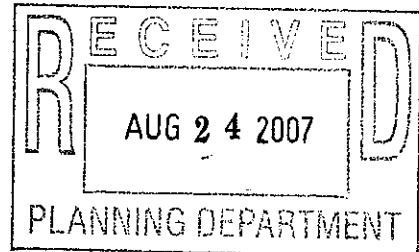
**WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC**

Michael G. Romeo
(571) 209-5772
mromeo@ldn.thelandlawyers.com

August 24, 2007

Via E-Mail and Hand Delivery

Ms. Jane McCarter, Project Manager
Loudoun County Department of Planning
One Harrison Street, S.E., 3rd Floor
Leesburg, Virginia 20177



Re: Referral Response Letter for ZMOD 2006-0016, "Greene Mill Preserve Story Modification"

Dear Jane:

On behalf of **Stanley-Martin Woodlands, LLC**, the Applicant (herein referred to as the "Applicant"), I am providing you with a response letter based on our recent meeting and the Community Planning and Zoning referral comments for the Greene Mill Preserve Story Modification application. The application calls for a zoning modification to permit certain single family detached homes within Greene Mill Preserve, as shown on the zoning modification plat, to be constructed with a loft option that will not exceed the maximum permitted building height of 40 feet. To facilitate the ease of review, I am providing you with a revised zoning modification plat, revised statement of justification, and a summary points letter to assist you in your review of the zoning modification application.

The specific responses to each staff referral are answered below with the Applicant's response in bold italics.

**LOUDOUN COUNTY DEPARTMENT OF PLANNING – COMPREHENSIVE
PLANNING (PAT GIGLIO, 8/17/2007)**

BACKGROUND

The applicant, Renaissance at Woodlands, LLC, is requesting a Zoning Ordinance Modification (ZMOD) to permit an increase in the number of stories for all single-family detached homes within the Greene Mill Preserve to more than three stories so long as the height of the building does not exceed 40-feet. The Revised 1993 Zoning Ordinance currently permits buildings to be "three (3) stories or 40 feet maximum whichever is less" (*Section 4-1213 (B)(1)(j)*).

PHONE 703 737 3633 ■ FAX 703 737 3632 ■ WWW.THELANDLAWYERS.COM
1 E. MARKET STREET, THIRD FLOOR ■ LEESBURG, VA 20176-3014

ARLINGTON OFFICE 703 528 4700 ■ PRINCE WILLIAM OFFICE 703 680 4664

ATTORNEYS AT LAW

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Greene Mill Preserve is a 425-acre planned Rural Village located east of Watson Road (Route 860), west of Evergreen Mills Road (Route 621) and north of Red Hill Road (Route 617). The development is accessed from both Watson Road and Evergreen Mills Road. The Loudoun County Board of Supervisors approved Greene Mill Preserve, formerly known as Woodland Rural Village (ZMAP 1997-0001) in 1998 for the development of 229 single-family detached and single family attached homes. The rural village is surrounded by a 330 acre conservancy area and adopts a neo-traditional design with curvilinear streets and homes clustered around community greens.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The subject property is governed under the policies of the Revised General Plan. The Revised General Plan places the property within the northern tier of the Rural Policy Area. The area is planned for rural economy uses and limited residential development (*Revised General Plan, as amended by CPAM 2005-0005, Amendments to the Rural Policies of the Loudoun County Comprehensive Plan, Policy 3, p.7-15*).

ANALYSIS

The Revised General Plan and the 1991 General Plan designate the subject property as part of the Rural Policy Area; however, there are significant policy differences between the two plans as it applies to the development of Rural Villages. The Revised General Plan does not promote the development of new rural villages within the Rural Policy Area, though new rural villages are permitted in the Transition Policy Area. Staff recognizes that Woodland Rural Village (ZMAP 1997-0001) was approved under the 1991 General Plan, which supported the development of new rural villages in the Rural Policy Area. Staff has consequently reviewed the proposed zoning modification requests for the rural village using the Design Guidelines from the Revised General Plan for Villages in the Transition Policy Area.

The Revised General Plan does not provide specific guidance pertaining to the number of stories or heights of buildings within Rural Villages but does provide general design guidelines. The Revised General Plan envisions Rural Villages as mixed-use communities with residential and non-residential uses integrated to create a pedestrian friendly development centered around a village core (*Revised General Plan, Design Guidelines 2a, p.11-18*). The arrangement and architectural style of the buildings in the village core should be consistent with the surrounding development to create a sense of place and identity for the community (*Revised General Plan, Design Guidelines 2d, p.11-18*). The villages will feature tree-lined streets with houses built close to the street with on street parking and sidewalks (*Revised General Plan, Design Guidelines 2f, p.11-18*).

Staff finds the proposed Zoning Modification request to increase the number of stories for all single-family detached homes to be in keeping with the intent of the design guidelines and the Plan's vision for Rural Villages.

RECOMMENDATIONS

Staff finds the proposed Zoning Modification request, to permit an increase in the number of stories for all single-family detached homes within the Greene Mill Preserve to more than three stories so long as the height of the building does not exceed 40-feet, is in keeping with the intent of the design guidelines and the Plan's vision for Rural Villages. Staff recommends approval of the Zoning Modification request.

Applicant Response:

The Applicant concurs with this Comprehensive Planning recommendation.

LOUDOUN COUNTY DEPARTMENT OF BUILDING & DEVELOPMENT – ZONING ADMINISTRATION (CLAIRE GRON, 8/17/2007)

I. APPLICATION SUMMARY

Zoning Administration staff has reviewed the above-referenced zoning modification application for conformance with the Revised 1993 Loudoun County Zoning Ordinance ("the Ordinance"). The following items were reviewed as part of the ZMOD application:

- A. Information Packet, dated July 17, 2007
- B. List of Subject Properties
- C. Statement of Justification, dated November 17, 2006
- D. Statement of Justification, dated May 11, 2007
- E. Zoning Modification Plat, dated December 31, 2006

This application is a request by Stanley Martin-Woodlands, LLC ("the Applicant") for a zoning modification to §4-1213(B)(1)(j) to increase the maximum height for certain existing and proposed single family detached dwelling units in Greene Mill Preserve. The Board of Supervisors may approve zoning modifications pursuant to §6-1504.

Applicant Response:

For clarification purposes, the Applicant is not requesting a modification of section 4-1213(B)(1)(j) to increase the maximum height for certain existing and proposed single family detached dwelling units in Greene Mill Preserve. The Applicant's request is to modify the amount of stories that are permitted, while never exceeding the PD-RV permitted maximum height of 40 feet.

II. CONFORMANCE WITH THE REVISED 1993 LOUDOUN COUNTY ZONING ORDINANCE.

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1. **Section 6-1504.** The Applicant has not adequately explained how the requested modification will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation.

Applicant Response:

The statement of justification has been revised to address this comment.

III. ADDITIONAL COMMENTS

1. The Applicant has submitted two separate statements of justification with this application. Combine the statements of justification and provide only one.

Applicant Response:

The statement of justification dated November 17, 2006 pertains to a parking reduction special exception application and has no bearing on this zoning modification application. The statement of justification dated May 11, 2007 has been revised to address the outstanding comments raised in this zoning referral and is included with this resubmission package.

2. The SOJ dated November 17, 2006 identifies Renaissance at Woodlands, LLC as the Applicant, but the May 11, 2007 SOJ identifies Stanley Martin-Woodlands, LLC as the Applicant. Correct this discrepancy.

Applicant Response:

The statement of justification dated November 17, 2006 pertains to a parking reduction special exception application and has no bearing on this zoning modification application. The statement of justification dated May 11, 2007, which has subsequently been revised and is included with this resubmission package, correctly addresses Stanley-Martin Woodlands, LLC as the Applicant.

3. The SOJ dated November 17, 2006 appears to request a special exception for a reduction in required off-street parking spaces pursuant to §5-1102(F). Remove the SPEX request from this ZMOD application (SPEX-2006-0039 is currently pending).

Applicant Response:

The statement of justification dated November 17, 2006 pertains to a parking reduction special exception application and has no bearing on this zoning modification application. All references to this parking reduction special exception application should be removed from consideration for this zoning modification application.

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4. The SOJ dated May 11, 2007 includes a discussion of §6-1211(E), Zoning Map Amendment issues for consideration. Remove this information, as it is not applicable to this ZMOD application.

Applicant Response:

The statement of justification dated May 11, 2007, which has subsequently been revised and is included with this resubmission package, no longer includes a discussion of section 6-1211(E), Zoning Map Amendment issues for consideration.

5. Parcel MCPI# 282-39-8317 is the subject of SBRD-2006-0006, currently pending. Thus, Lots 54C, 60C-70C, 85C-106C, and 114A-118A, as referenced and shown on the plat, do not exist. Clearly illustrate the parcel boundaries of MCPI# 282-39-8317, and identify Lots 54C, 60C-70C, 85C-106C, and 114A-118A as future, not existing lots.

Applicant Response:

The zoning modification plat has been revised to clearly illustrate the parcel boundaries of MCPI #282-39-8317 and identify Lots 54C, 60C-70C, 85C-106C, and 114A-118A as future, Phase II lots.

6. Reference Lot 58C, not 58A on the plat.

Applicant Response:

The zoning modification plat has been revised to reference Lot 58C, not 58A.

7. Correct the property owner information for Lots 51C, 38B, 149A, 172C, 126A, and 130A in the chart attached to the SOJs.

Applicant Response:

The property owner information chart that is included on the zoning modification plat has been revised to list the correct property owner information for Lots 35B, 38B, 51C, 126A, 130A, 149A, 172C, and 179C.

8. Correct the property owner information for Lots 35B, 38B, 51C, 126A, 130A, 149A, 172C, and 179C on the plat.

Applicant Response:

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The property owner information chart that is included on the zoning modification plat has been revised to list the correct property owner information for Lots 35B, 38B, 51C, 126A, 130A, 149A, 172C, and 179C.

9. It is noted that lots with existing dwellings that were constructed without the optional walk-up attic are not included in this application. The inclusion of these lots in this application would provide their owners with an additional degree of flexibility.

Applicant Response:

The applicant appreciates staff's concern and would like to state that due to the design constraints that exist in the current homes it would be extremely difficult, and not recommended, that additional lofts be added after the framing stage of construction. Through this zoning modification application, an additional degree of flexibility will be provided to all remaining Stanley-Martin-owned vacant lots within Greene Mill Preserve.

The Applicant would be more than willing to address any additional comments or questions staff may have in preparation for the Planning Commission public hearing.

Sincerely,

WALSH, COLUCCI, LUBELEY, EMRICH &
WALSH, P.C.



Michael G. Romeo
Land Use Planner

Enclosures, as stated

cc: Randy Brown, Stanley-Martin Woodlands, LLC
Ross Stilling, Project Engineer, Urban, Ltd.
J. Randall Minchew, Esq., Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
William J. Keefe, AICP, Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.

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Important! The adopted Affidavit and Reaffirmation of Affidavit forms shall not be altered or modified in any way. Any form that is altered or modified in any way will not be accepted.

REAFFIRMATION OF AFFIDAVIT

In reference to the Affidavit dated July 11, 2007 for the application of
(enter date of affidavit)

Stanley-Martin Woodlands, LLC

(enter name(s) of applicant(s))

in Application Number(s): ZMOD 2006-0016

(enter application number(s))

I, David W. Duggar, Agent, do hereby state that I am an

(check one) applicant (must be listed in Paragraph B of the above-described affidavit)

✓ applicant's authorized agent (must be listed in Paragraph B of the above-described affidavit)

and that to the best of my knowledge and belief, the following information is true:

(check one) I have reviewed the above-described affidavit, and the information contained therein is true and complete as of

(enter today's date)

✓ I have reviewed the above-described affidavit, and I am submitting a new affidavit which includes changes, deletions or supplemental information to those paragraphs of the above-described affidavit indicated below:

(Check if applicable)

✓ Paragraph B-1

 Paragraph C-1

 Paragraph B-2

 Paragraph C-2

 Paragraph B-3

 Paragraph C-3

WITNESS the following signature:

(check one)

 applicant

✓ applicant's authorized agent

David W. Duggar, Agent

(Type or print first name, middle initial, last name and title of signee)

Subscribed and sworn to before me this 11th day of September, 2007,
in the State/Commonwealth of Virginia, County/City of Fairfax

M. Soledad Portilla

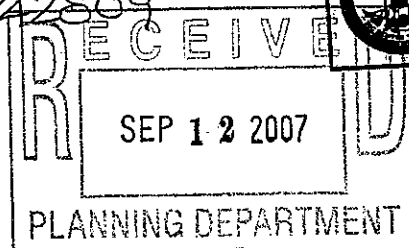
Notary Public

My Commission expires: Feb. 29, 2008

Registration Number: 342809



MARIA SOLEDAD PORTILLA
Notary Public
Commonwealth of Virginia
My Commission Expires Feb. 29, 2008



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LOUDOUN COUNTY
DISCLOSURE OF REAL PARTIES IN INTEREST

A. DIRECTIONS

1. Mandatory disclosures shall include PARTNERSHIPS, CORPORATIONS, or TRUSTS, to include the names of beneficiaries, broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 100 shareholders, that has no shareholder owning 1% or more of any class of stock. In the case of an applicant, title owner, contract purchaser, or lessee of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all its partners (general and limited), of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 1% or more of the applicant, title owner, contract purchaser, or lessee of the land.
2. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.
3. All applicants for zoning map amendment petitions, special exceptions, commission permits, certificates of appropriateness and variances are requested, but not required, to complete Section C of this form entitled *Voluntary Disclosures*. No application will be rejected for applicant's failure to complete Section C.
4. Prior to each and every public hearing on a Zoning Map Amendment, Zoning Concept Plan Amendment, Zoning Ordinance Modification, Special Exception, Commission Permit, Certificate of Appropriateness or Variance, and prior to Board action, the applicant shall review the affidavit and provide any changed or supplemental information including business or financial relationships of the type described above, that arise on or after the date of this application. A "Reaffirmation of Affidavit" form is available for your use online at: <http://inetdocs.loudoun.gov/planning/docs/documentsandfor/index.htm>
5. These adopted Disclosure of Real Parties in Interest Affidavit and Reaffirmation of Affidavit forms shall not be altered or modified in any way. Any form that is altered or modified in any way will not be accepted.
6. As used in this section "real parties in interest" shall include all sole or joint property owners, parties who have legal interest in the protection of the property such as a trustee or executor, parties who have an equitable or beneficial interest in the property, such as beneficiaries of a trust, and, in the case of corporations, all stockholders, officers, and directors. Pursuant to Section 15.2-2289, the requirement of listing names of stockholders, officers, and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders. In the case of a condominium, the requirement shall apply only to the title owner, contract purchaser, or lessee if they own 10% or more of the units in the condominium.

9/11/10

APPLICATION NUMBER: ZMOD 2006-0016

I, David W. Duggar, Agent, do hereby state that I am an
 ___ applicant

☒ applicant's authorized agent listed in Section B.1. below

in Application Number(s): ZMOD 2006-0016

and that to the best of my knowledge and belief, the following information is true:

B. MANDATORY DISCLOSURES

1. NAMES AND ADDRESSES OF REAL PARTIES IN INTEREST

The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS** and **LESSEES** of the land described in the application* and if any of the forgoing is a **TRUSTEE**** each **BENEFICIARY** of such trust, and all **ATTORNEYS**, and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application. Multiple relationships may be listed together. For multiple parcels, list the Parcel Identification Number (PIN) of the parcel(s) for each owner(s).

PIN	NAME (First, M.I., Last)	ADDRESS (Street, City, State, Zip Code)	RELATIONSHIP (listed in bold , above)
	Stanley-Martin Woodlands, LLC	11111 Sunset Hills Drive, Suite 200 Reston, VA 20190	Applicant
	Woodland Properties, LLC	2100 Reston Parkway, Suite 500 Reston, VA 20191	Title Owner
	Woodlands Neighborhoods, LLC	11111 Sunset Hills Drive, Suite 200 Reston, VA 20190	Title Owner
282-49-9940 282-39-8317	Renaissance at Woodlands, LLC	c/o Stanley Martin Companies, Inc. 11111 Sunset Hills Drive, Suite 200 Reston, VA 20190	Title Owner
282-40-9163	Mira K. and Kashyap K. Sheth	41172 Black Branch Parkway Leesburg, VA 20175	Title Owners
282-40-1063	Joseph W. and Beth M. Turbiville	22422 Dinah Place Leesburg, VA 20175	Title Owners
282-40-0182	Jonathan M. & Julie Linton	22419 Dinah Place Leesburg, VA 20175	Title Owners
282-49-8972	Robert J. Coulter, Jr. and Dawn D. Coulter	22427 Dinah Place Leesburg, VA 20175	Title Owners

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** In the case of a TRUSTEE, list Name of Trustee, name of Trust, if applicable, and name of each beneficiary.

Check if applicable:

☒ Real Parties of Interest information is continued on an additional copy of Page B-1

If multiple copies of this page are provided please indicate Page 1 of 3 pages.

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09/11/07

APPLICATION NUMBER: ZMOD 2006-0016

281-19-4302	Sunny Saini & Mariluz Cabana	22392 Nickman Way Leesburg, VA 20175	Title Owners
282-39-5136	John H. Coleman III and Lanay B. Coleman	41049 Indigo Place Leesburg, VA 20175	Title Owners
282-39-8051	Dean & Tyler Craft	22494 Dinah Place Leesburg, VA 20175	Title Owners
281-19-7509	Brent Adamson, Ute Aus, Dem Bruch	22408 Aging Oak Drive Leesburg, VA 20175	Title Owners
282-49-1522	Gary Cuppett	22480 Amori Lane Leesburg, VA 20175	Title Owner
282-49-3437	Robert & Cathryn Maletick	22458 Tess Drive Leesburg, VA 20175	Title Owners
282-49-3644	Charles Sarahan II and Christina Sarahan	22454 Tess Drive Leesburg, VA 20175	Title Owners
282-49-5352	Angela Marshall	22445 Aging Oak Drive Leesburg, VA 20175	Title Owner
282-49-4630	Edgar & Hortencia RS Carranza Heydi & Leandro Rodriguez	22461 Aging Oak Drive Leesburg, VA 20175	Title Owners
282-49-8065	Woodland Village HOA Inc.	c/o WCI Communities; Attn: S. Plescow 2100 Reston Parkway, #500 Reston, VA 20191	Title Owner
282-49-2780	Jarrold D. Bruner	22404 Nickman Way Leesburg, VA 20175	Title Owner
	Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.	1 E. Market Street, 3 rd Floor Leesburg, VA 22042	Attorneys/Planners/ Agent
	Urban Engineering & Associates, Inc. t/a Urban Ltd.	7712 Little River Turnpike Annandale, Virginia 22003	Engineers/Agent

If multiple copies of this page are provided please indicate Page 2 of 3 pages.

APPLICATION NUMBER: ZMOD 2006-0016

LISTING OF INDIVIDUAL AGENTS

1. **Stanley-Martin Woodlands, LLC**
David W. Duggar
Randy Brown (nmi)
2. **Renaissance at Woodlands, LLC**
Stephen T. Plescow
3. **Woodland Properties, LLC**
Stephen T. Plescow
4. **Woodland Neighborhoods, LLC**
David W. Duggar
Randy Brown (nmi)
5. **Walsh, Colucci, Lubeley, Emrich & Walsh, PC**
J. Randall Minchew, Esq.
William J. Keefe
Michael G. Romeo
Christine E. Gleckner
6. **Urban Engineering & Associates, Inc. t/a Urban Ltd.**
Joshua E. Orndorff
Eric S. Siegel
Jeffrey L. Gilliland

If multiple copies of this page are provided please indicate Page 3 of 3 pages.

APPLICATION NUMBER: ZMOD 2006-0016**2. NAMES OF CORPORATION SHAREHOLDERS**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

Stanley-Martin Woodlands, LLC
11111 Sunset Hills Drive, Suite 200, Reston, VA 20190

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Martin K. Alloy, Manager	
Steven P. Alloy, Manager	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
Martin K. Alloy, Chairman, Treasurer	Steven B. Alloy, President
Gordon G. Thomas, VP, Southern MD Division	David W. Duggar, VP, No. VA Division
Stuart M. Ginsberg, VP, GC & Secretary	Sharon L. DeFalco, Asst. Secretary
Janet B. O'Grady, Controller	

Check if applicable:

☒ Additional shareholder information is continued on an additional copy of Page B-2

If multiple copies of this page are provided please indicate Page 1 of 10 pages.

APPLICATION NUMBER: ZMOD 2006-0016**2. NAMES OF CORPORATION SHAREHOLDERS**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

Woodland Properties, LLC
2100 Reston Parkway, Suite 500, Reston, VA 20191

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
WCI Mid-Atlantic U.S. Region, Inc., Member	
Jerry L. Starkey, Manager	
James P. Dietz, Manager	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
Albert H. Small, Jr., President	James P. Dietz, SVP
Vivien N. Hastings, SVP & Secretary	James D. Cullen, VP & Asst Secretary
Barry H. Schwartz, SVP	Lisa Spencer, VP
Jeffrey Lastner, VP	Ernest J. Scheidermann, VP & Treas.

Check if applicable:

☒ Additional shareholder information is continued on an additional copy of Page B-2

If multiple copies of this page are provided please indicate Page 2 of 10 pages.

APPLICATION NUMBER: ZMOD 2006-0016**2. NAMES OF CORPORATION SHAREHOLDERS**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

Woodland Neighborhoods, LLC
11111 Sunset Hills Drive, Suite 200, Reston, VA 20190

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Martin K. Alloy, Manager	
Steven B. Alloy, Manager	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
Martin K. Alloy, Chairman, Treasurer	Steven B. Alloy, President
Gordon G. Thomas, VP, Southern MD Division	David W. Duggar, VP, No. VA Division
Stuart M. Ginsberg, VP, GC & Secretary	Sharon L. DeFalco, Asst. Secretary
Janet B. O'Grady, Controller	

Check if applicable:

☒ Additional shareholder information is continued on an additional copy of Page B-2

If multiple copies of this page are provided please indicate Page 3 of 10 pages.

APPLICATION NUMBER: ZMOD 2006-0016**2. NAMES OF CORPORATION SHAREHOLDERS**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

Renaissance at Woodlands, LLC
2100 Reston Parkway, Suite 500, Reston, VA 20191

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Stanley-Martin Woodlands, LLC, Member	
Woodland Properties, LLC, Member	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

☒ Additional shareholder information is continued on an additional copy of Page B-2

If multiple copies of this page are provided please indicate Page 4 of 10 pages.

APPLICATION NUMBER: ZMOD 2006-0016**2. NAMES OF CORPORATION SHAREHOLDERS**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

WCI Mid-Atlantic U.S. Region, Inc.
2100 Reston Parkway, Suite 500, Reston, VA 20191

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
WCI Communities, Inc.	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
Albert H. Small, Jr., President	

Check if applicable:

☒ Additional shareholder information is continued on an additional copy of Page B-2

If multiple copies of this page are provided please indicate Page 5 of 10 pages.

APPLICATION NUMBER: ZMOD 2006-0016**2. NAMES OF CORPORATION SHAREHOLDERS**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

WCI Communities, Inc.
2100 Reston Parkway, Suite 500, Reston, VA 20191

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Traded on NYSE	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
Don E. Ackerman, Chairman	Jerry L. Starkey, President, CEO, Director
Charles E. Cobb, Vice Chairman	James P. Dietz, CFO, EVP
Vivien N. Hastings, SVP & Secretary	

Check if applicable:

☒ Additional shareholder information is continued on an additional copy of Page B-2

If multiple copies of this page are provided please indicate Page 6 of 10 pages.

APPLICATION NUMBER: ZMOD 2006-0016**2. NAMES OF CORPORATION SHAREHOLDERS**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

Woodland Village HOA Inc.
c/o WCI Communities; Attn: S. Plescow
2100 Reston Parkway, Suite 500, Reston, VA 20191

Description of Corporation:

 There are 100 or fewer shareholders and all shareholders are listed below.

 There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.

 There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.

 There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
A non-stock, non-profit corporation with no shareholders.	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

☒ Additional shareholder information is continued on an additional copy of Page B-2

If multiple copies of this page are provided please indicate Page 7 of 10 pages.

APPLICATION NUMBER: ZMOD 2006-0016**2. NAMES OF CORPORATION SHAREHOLDERS**

The following constitutes a listing of the shareholders of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all officers and directors of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
1 E. Market Street, 3rd Floor, Leesburg, Virginia 20176

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
David J. Bomgardner	E. Andrew Burcher
Thomas J. Colucci	Peter M. Dolan, Jr.
Jay du Von	Jerry K. Emrich
William A. Fogarty	John H. Foote
H. Mark Goetzman	Bryan H. Guidash
Michael D. Lubeley	J. Randall Minchew
M. Catharine Puskar	John E. Rinaldi
Lynne J. Strobel	Garth M. Wainman
Nan E. Walsh	Martin D. Walsh

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

Additional shareholder information is continued on an additional copy of Page B-2

If multiple copies of this page are provided please indicate Page 8 of 10 pages.

Revised May 10, 2007

A-27

APPLICATION NUMBER: ZMOD 2006-0016

2. NAMES OF CORPORATION SHAREHOLDERS

The following constitutes a listing of the shareholders of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all officers and directors of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

Urban Engineering & Associates, Inc. t/a Urban Ltd
7712 Little River Turnpike, Annandale, Virginia 22003

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Barry B. Smith	
J. Edgar Sears, Jr.	
Brian A. Sears	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

☐ Additional shareholder information is continued on an additional Page B-2

If multiple copies of this page are provided please indicate Page 2 of 10 pages.

Revised May 10, 2007

A-28

APPLICATION NUMBER: ZMOD 2006-0016

2. NAMES OF CORPORATION SHAREHOLDERS

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

HGS, LLC d/b/a Angler Environmental
12801 Randolph Ridge Lane, #102, Manassas, Virginia 20109

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
John T. Hazel, III	
Edward L. Goodwin, Jr.	
Don J. Seaborn, Jr.	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

☐ Additional shareholder information is continued on an additional copy of Page B-2

If multiple copies of this page are provided please indicate Page 10 of 10 pages.

APPLICATION NUMBER: ZMOD 2006-0016**3. PARTNERSHIP INFORMATION**

The following constitutes a listing of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in the affidavit.

Partnership name and address (complete name, street address, city, state, zip)

None

 (check if applicable) The above-listed partnership has no limited partners.

Names and titles of the Partners (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

NAME (First, M.I., Last)	Title (e.g. General Partner, Limited Partner, etc)

Check if applicable:

 Additional Partnership information is included on an additional copy of page B-3.

4. One of the following options **must be checked**

 In addition to the names listed in paragraphs B. 1, 2, and 3 above, the following is a listing of any and all other individuals who own in the aggregate (directly as a shareholder, partner, and beneficiary of a trust) 1% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

☒ Other than the names listed in B. 1, 2 and 3 above, no individual owns in the aggregate (directly as a shareholder, partner, and beneficiary of a trust) 1% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

Check if applicable:

 Additional information for Item B. 3. is included on an additional copy of page B-3.

APPLICATION NUMBER: _____

C. VOLUNTARY DISCLOSURE

1. That no member of the Loudoun County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or though an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (If none, so state).

2. That within the twelve-month period prior to the public hearing for this application, no member of the Loudoun County Board of Supervisors, Board of Zoning Appeals, or Planning Commission or any member of his immediate household and family, either individually, or by way of partnership in which any of them is a partner, employee, agent or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent or attorney or holds 1% or more of the outstanding bonds or shares of stock of a particular class, has or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$100 or more, singularly or in the aggregate with any of those listed in Section B, above.

EXCEPT AS FOLLOWS: (If none, so state).

3. The following constitutes a listing of names and addresses of all real parties in interest in the real estate which is the subject of this application, including the names and addresses of all persons who hold a beneficial interest in the subject property, who have, within five years of the application date, contributed, by gift or donation, more than one hundred dollars to any current member of the Board of Supervisors:

NAME (First, M.I., Last)	ADDRESS (Street, City, State, Zip Code)

___ Additional County-Official information for Item C is included on an additional page C-1.

If multiple copies of this page are provided please indicate Page ___ of ___ pages.

Revised May 10, 2007

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D.

That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 1% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, OR LESSEE of the land have been listed and broken down, and that prior to each public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Section C. above, that arise on or after the date of this application.

WITNESS the following signature:



check one: ☐ Applicant or ☒ Applicant's Authorized Agent

David W. Duggar, Agent

(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 11th day of September 2007,
in the State/Commonwealth of Virginia, in the County/City of Fairfax

M. Soledad Portilla

Notary Public

My Commission Expires: Feb. 29, 2008
Registration Number: 342809

